IN THE SUPREME COURT OF THE STATE OF NEVADA

BARRY MICHAELS, Appellant, vs. HOLLY MICHAELS, N/K/A HOLLY BRAND, Respondent.

No. 41360

NEM 9 7 2003

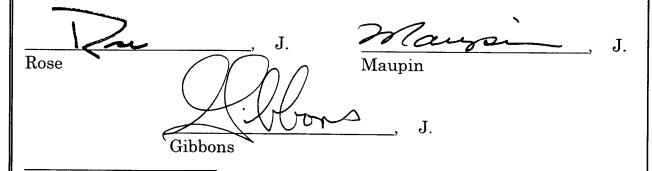
JANETTE M BLOOM

03-07792

ORDER DISMISSING APPEAL

This is a proper person appeal from a minute order concerning an award of attorney fees. No appeal may be taken from a minute order,¹ and a notice of appeal filed before the entry of a formal written order is ineffective.² Instead, an appeal must be taken after the court enters a formal written order, within the time limitations of NRAP 4(a).³ Here, since the notice of appeal was filed before the entry of a formal written order, it is ineffective and fails to confer jurisdiction on this court. Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.⁴



¹<u>Rust v. Clark Cty. School District</u>, 103 Nev. 686, 747 P.2d 1380 (1987).

²Id.; see also NRAP 4(a)(1).

<u>³Id.</u>

⁴Appellant failed to pay the filing fee required by NRS 2.250(1)(a), which could constitute an independent basis on which to dismiss this appeal. In light of this order, we deny as moot appellant's May 5, 2003 motion for stay and motion to proceed on appeal in forma pauperis.

EME COURT OF NEVADA

(O) 1947A

cc: Hon. Jennifer Elliott, District Judge, Family Court Division Barry Michaels Holly Michaels Clark County Clerk

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